

Indian Chieftain.

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JUDG PARKER still has a court district composed of seventeen counties in Arkansas. One week in the year will be ample time for the trial of all federal cases arising there, as pine top whisky making by wild cat distillers will be about all there will be to look after now. The \$150,000 federal court house will be a rather lonesome place shortly.

To say what constitutes a valid claim to admission to citizenship in the Cherokee nation may be summed up in a very few sentences. First, the claimant must have Cherokee blood; second, he or his ancestry must be of or have been residents of this nation; third, the claimant must not have forfeited his citizenship by removal from the nation with all of his effects and become a citizen of another government. It may take a day or two days to present the case to the Dawes commission by the Cherokee attorneys but this is the case in a nutshell.

The national public schools opened Monday, and so far as has been learned the appointees of the new board of education have taken charge of the schools. Mr. Ivey's letter of advice sent out some time ago to the teachers appointed by the old board, seems to have been generally disregarded. Public opinion in this, as in most other matters, is generally about right, and in this case the action of Chief Mayes in suspending the old board has been almost unanimously approved. Law and order has prevailed and the revolution that Gus Ivey predicted has come to nought.

The Dawes commission went to Muskogee Monday evening to meet the Creek commission appointed to confer with them. A very pleasant conference was held Tuesday, largely informal. Another meeting will be held at Eufaula on Wednesday, the 23d inst., at which time the Dawes commission will present the Creeks a proposition in line with the policy of the government and with their duties here. The commission will begin the trial of citizenship cases Monday the 21st and continue till all are disposed of. W. J. Watts, the attorney for a large number of claimants, has wired Ex-Governor and Ex-Attorney General Garland to be here and present the argument in behalf of the Cherokee claimants.

Among the great numbers of claimants to Indian citizenship that have filed their papers with the Dawes commission there are some that are ridiculous enough. A fellow from the Choctaw country filed a petition that probably "takes the cake." He sets forth a pathetic story of love, of man's constancy and of woman's perfidy. The poor man says in his petition that he had courted a handsome Choctaw maiden, proposed and was accepted in a jiffy. On the strength of the engagement the poor man bought a farm and some town property, but before the wedding day came the fickle woman jilted him and married another. Therefore, inasmuch as he had invested his hard-earned cash in good faith, and had been so badly treated, he prayed as an offset to be admitted to all the rights of a native Choctaw Indian. The petition was backed up by an affidavit from the marble-hearted girl's maternal parent that the above stated facts were true and that in her opinion her would-be son-in-law should be admitted to Choctaw citizenship.

All things must eventually come to an end. The great Roman government that from its "seven hills" ruled the world has long centuries ago been leveled to the earth, and the "mother of dead empires" has herself been dead hundreds of years also. The time will come of course, when the great United States will be no more, when the boasted civilization of the greatest nation on earth will count for naught. But the fact that more nearly concerns us at present is that the Indian nations of this territory are nearing their demise. A few short years hence we can tell our children about "Indian autonomy," about a time when the Indians had a government of their own. There is more or less sadness in this contemplation but no intelligent person will deny that it is true, and that this country will ere long be merged into a state of the great union of which it is already a component part. But those of our people who have been good citizens of the Indian government will not fail to make good citizens of the great state that this territory is to be.

At twelve o'clock last night the Dawes commission ceased to receive applications for citizenship, the time for filing having expired by limitation of law. All papers received up to that hour will be filed, which will probably take some days to complete. The number filed up to last midnight was about 5500 and it is estimated the average will not be less than ten persons to each application filed. There are still perhaps several hundred more to be added—that is, those that were received in time to be filed. The argument for the Cherokee will be presented today and tomorrow; one day each will be given the other four tribes. The arguments will close next Wednesday with the presentation of the case of the Seminoles. The commission will begin the investigation of claims immediately, and it is the intention of THE CHIEFTAIN to publish from week to week a list of the names of claimants whose cases have been passed upon by the commission until all have been tried and admitted or rejected as the case may be. A synopsis of the argument submitted by the attorneys will be printed next week.

The subject of the rights of "reservators" in this Cherokee nation may not be an altogether pleasant topic for discussion, but it is one of the public questions that is to confront those who have the final settlement of affairs here and ought to be discussed fully now and here. It is in the first place, a fact that a great many Cherokees remained in the east, in Georgia and the Carolinas, in Tennessee and Alabama, and retained their pro rata share of the tribal land and were paid their share of the available funds at the time of the emigration west by the tribe. Now this being the case, it does not look hardly fair for these people, these "reservators," to come here and get another divide of the tribal property. That is equivalent to getting a double share of the same estate. But the question arises, how is this to be avoided? The Cherokee nation through its council has "admitted" these "reservators" to all the rights of citizenship and they have already shared in the distribution of the proceeds of more than half the lands belonging to the tribe. It is not probable that the Cherokees themselves will be able to undo what their council has done in this matter, but it is possible that the Dawes commission may embody in their next report recommendations to congress that will bring about an investigation and a final purging of the rolls.

The sheriff of Cooweescoowee district has arrested about a score of our citizens on writs of indictment by the grand jury for refusal to answer in the Little Garment cases some time ago. As has been stated before, Jim Tittle holds judgments against this city amounting to more than \$3,000 and in order to collect he, through his attorneys, undertook to garnish the taxpayers. A few answered and paid their taxes to the sheriff, but the greater number had either already paid their taxes to the city authorities, or ignored the summons altogether; hence the indictments and arrests. All the parties gave bond for their appearance at the regular term of circuit court at Claremore next week. For eleven years this thing has hung over the town like a blighting curse to harass and annoy the citizens and taxpayers, all the result of ignorance and mismanagement on the part of the city authorities, and of cussedness on the part of others who are determined to have something for nothing. But the burden is on the honest business men and property owners of the town, and will remain there till this thing is settled in some way. Tittle's judgment has been an excuse for hiding out the treasury of the town for years, and the taxpayers have never had the privilege of knowing how much money is collected from them, or what is done with it. Those who answered the summons in the garnishment case a while back were promptly waited on by the sheriff and forced to pay their taxes to him. Since that time execution has been issued against them by the municipal authorities, and they will either have to pay again or defend a law suit which will cost more than to pay a second time. Mayor Bell advised the people to not appear in obedience to the summons of garnishment but he took particular pains to appear himself, so he escapes indictment while they pay the penalty of taking bad advice. This thing is getting burdensome as well as monotonous and ought to be settled in some way at the very earliest opportunity.

TO PROTECT THE MONOPOLIST. It has been suggested that a town site organization be had for the purpose of protecting the owners or occupants of town lots in the Cherokee nation before the Dawes commission and at Washington City. We doubt the propriety or the expediency of any such scheme. The rights of the citizens of the whole Cherokee nation are equal, and it does not require the organization of any one portion of our people to get the proper protection before the Dawes commission. Protection against what, do they pray? Protection against whom? Is it possible that the monopolist and the town lot speculator has reached a point where he needs protection from the homeless Indian or from the children of this nation who are the equal owners of it? No; the man who is occupying a reasonable number of improved town lots for a home or a place of business in the towns need not be alarmed, for he will not be disturbed, but the fellow that has invested in unoccupied town lots for speculation might just as well begin to unload. It might be just as well for the owners or occupants of vast tracts of the common domain to organize against the people who have none, and attempt to hold all they are in possession of for the town lot speculator to organize to hold his from the people.

There is one proposition that will settle every one of these land problems, and that is to get back to the principle embodied in the constitution of the Cherokee nation, that "the lands of the Cherokee nation shall remain common property." Do this, and there will be no need of organization to protect the rights or interests of any class of citizens, but in doing this it must be remembered that the smallest Indian child in this nation is justly entitled to as much of the tribal property as is the chief or anyone else.

It has been suggested that a certain class of citizens would consent to allotment "if they were allowed to choose their lands where they want them and insured protection in the mineral leases in the Cherokee country." That is certainly a generous offer, but it is not probable that it will be accepted to fully. It is also very likely that the land will be allotted any way, with or without their consent.

But whence comes all these propositions? The real Indian over in the hills is not clamoring about townsites and mineral leases, and first choices on the public domain. The fullblood Cherokee and his children, numbering upwards of ten thousand souls, the real owners of this country, are practically homeless at home. We have an idea that maybe the Dawes commission and the government at Washington are more interested in the welfare of the helpless people who speak little or no English, and who are about as poor as they can get, crowded out, and driven away from civilization, than they are in the thrifty classes that have grown rich and powerful off the common property of these people.

Who is it that opposes the Dawes commission, and is right now throwing every obstacle in its way to an equitable settlement of all these questions? Is it the fullblood Indian? Nay verily. For years the lobbies at Washington have been crowded with the representatives of the very class of citizens that the real Indian needs protection from, and the Indian has paid the bills. Nearly all the men who have fought and struggled for the maintenance of Indian autonomy here in this territory are men who have vast personal interests at stake, and who are monopolizing Indian property and using Indian money to pay the bills. These are simple facts that no man can deny or disprove.

In the Creek Nation. Is there no way to compromise this Indian land business? The thing is getting monotonous. Last week a Dutchman landed in Eufaula that could not talk English, let alone Creek. As near as we could come at his sign language he landed at Castle Garden about six months ago. He washed dishes there for a living for four months. While in that business he, like all others without land, heard there was land out here free to anyone that would swear there was Indian blood in his veins and that he could get 160 acres of choice lands; that the United States had opened land free to anyone who could swear to their Indian blood; so the enterprising Dutchman quit the dish washing business to go west and prove his rights. He hopped two months, getting to Eufaula last week. Some one told him he was in hot pursuit and showed him the road to the capital of the Creek nation. Therefore before this goes to press the Indian commissioner at Okmulgee will need a Dutch interpreter.

How long, oh, how long, will Creek lands last when the demand is so great and the Indians from across the big pond have only just begun to come in?—Eufaula Journal.

Arrow: The celebrated cases of Payne, Bell and Cobb were filed in the executive office yesterday. This noted case has been before the public for twenty-five years. Spratt Scott and Gordon Morgan accompanied Mr. Duncan with the papers. Col. W. H. Clayton and Judge Duncan represent the Paynes, Bells and Cobbs before the Dawes commission.

OLD AND NEW SCHOOL BOARDS.

The Attorney General The Interpreter of the Law.

Though several articles have appeared in the public prints relative to the old and new boards of education, and the authority of each as has been exercised by them, not one has manifested a disposition to show up the law that governs and should govern this department of our little government. Partisan feeling, fault finding and, even bullying have been resorted to in the endeavor to warp the public mind.

Let's see what the law is: There is a law against malfeasance or improper conduct in office. Immorality, though personal and not official, is not an official action, is one form of malfeasance in office that comes under the offense. Such conduct is a shame upon the nation and should be condemned and repudiated in the defense of the public reputation. The more material or discerning of public condemnation is the wanton misapplication of any trust to personal or popular gain, or private speculation to the detriment of the common interest, or the injury of a cause with which an officer is trusted. This is as it should be, and no honest man will say anything to the contrary.

The charges of malfeasance are provided for in law and may not, in their sufficiency, be disregarded without evident approval or abatement of the offense itself. The law says the chief "shall suspend up the law" if he "finds" it "insufficiently proven." It is therefore, his duty to suspend when, in his judgment, the cause is sufficient for such executive action.

Thus it is seen that a law in the defense of the public interest and reputation stands guard against evil doers in office, which the people can appeal to as a protection from such characters, and which the chief executive is in duty bound to respect and execute.

Anything, therefore, done within the law is lawful and has the force of law. All law is subject to interpretation and all action under the law is subject to criticism as to its strict accordance with the law. This is the reason why all well-appointed governments provide for and have interpreters of the law and its intentions, whose opinion of the law, and of what it permits, is law itself, which no officer can ignore and not be subject to legal censure. Without such authority, every executive officer of the country and every officer entrusted with the performance of any trust or duty would have the right to give such construction of the law and his duties as his ignorance, or his interest dictated, or the influence of designing friends or advisors might suggest.

That this nation has such an officer, whose authority and duty is to determine all questions of law when called upon, is an acknowledged necessity, and in the opinion of such an officer all legal controversies, as to any question of law, is at an end. If this were not so, the field of his duties would be reduced to the prosecution of capital cases only and a few other matters, and the conflict of judicial opinion could be settled only by the courts.

The appointment of public school teachers by the old board of education, and the legality of such appointments, under the law, were submitted to the law interpreting authority of the nation, who, in the discharge of his official duty, rendered his opinion, substantially, that they were not. His opinion having been asked for and received as provided in law, it became the duty of the new board to act accordingly. Having asked for and received the opinion of the attorney general, as to the legality of the school appointments by the old board, they could not, in any sense of legal propriety, have endorsed them. To have done so would have, in the alignment of official conduct, subjected the new board to the same legal censure. Their endorsement of the old board's action would not, nor could, have cured a breach of the law. Had they done otherwise than made new appointments, of those appointed or not, by reason of the necessary qualifications as teachers, they could have been proceeded against, as was the old board; the grounds for action at law, that far, being the same.

The commission last Thursday issued the following circular: The commission to the five civilized tribes will bear oral argument, by counsel representing the tribal governments, and claimants to citizenship therein, at its office in Vinita, Ind. Ter., on the dates named below, on the general question of what constitutes a right to citizenship in the several nations, under the laws thereof, not inconsistent with the laws of the United States, together with the treaties with said nations, and the usages and customs of the same: Sept. 10-11, Cherokee nation. Sept. 12, Creek nation. Sept. 14, Chickasaw nation. Sept. 15, Choctaw nation. Sept. 16, Seminole nation.

Time will be equally divided between attorneys for different sides, unless otherwise agreed upon by such attorneys. Arrow: About 1 o'clock last Tuesday afternoon, as the Tablequah road stage of the McKnight name was passing a lonely place in the road in the vicinity of Mrs. Dr. K's house about eight miles from town, driver Will Reynolds noticed a masked man with a "chester in a tree. At the same time a woman, a passenger in the back, saw three men heavily armed and masked, in the bushes at the side of the road. No attempt was made to stop the stage, and the driver after passing the men whipped up his horses, fearing that the masked party would head him off around the curve along which the stage was proceeding. It is thought a hold-up was intended, and that the lookout was watching for the stage, which came upon them unexpectedly. The officers are investigating.—Arrow.

Arrow: The Cherokee commission to confer with the Dawes commission met to organize Tuesday. At this meeting D. W. Bushyhead was chosen chairman and J. A. Scales of Webbers Falls was tendered the secretaryship. He was notified by wire and answered later that he could not accept. Another meeting of the commission was held and Col. W. P. Boudinot was chosen secretary. A member of the commission will go to Vinita to urge the Dawes commission to come to Tablequah.

The Time to Subscribe. The old newspaper saying, "now is the time to subscribe," was never more true than at present. The times are so full of incident, so many important national and state affairs are shaping themselves for a change, that no one can afford to be without a metropolitan daily or weekly. The St. Louis Republic is making a special offer of its daily and Sunday paper for three months at \$1.50. It is \$5 a year by mail. The twice-a-week Republic is sent two times a week for four weeks—only \$1 a year. In addition to all the political news, it prints every day a spread of general news and features not equalled by any other paper. col

MISCELLANEOUS ITEMS. —It is said that a dog in Milliken, Mich., possesses and uses daily a full set of artificial teeth. The dog is very old, and it is a family pet. When it lost its teeth recently its owner, according to a neighbor, the local dentist made the animal a full set of teeth, and they are said to be a perfect working success.

—The old notion that southern women are languid, feeble folk ought to be dispelled by the act of four women in a suburb of Macon, Ga. A house took fire during the night and the neighbors gathered to help the inmates in saving their effects. Four women carried a large upright piano from the parlor all the way out into the middle of the street unassisted.

—A fox and a hunter together stalked a porcupine near Tyson, N. Y., the other day, but, such unknown to the other. The bird lighted in an apple tree behind the barn, and the hunter tiptoed around one side of the barn and brought the fox, coming round the other side of the barn, selected it and was eating his dinner before the hunter could appreciate what had happened.

—The tail of the crawfish serves that animal as an ear. If a peculiar jerk of the tail the animal can retire from a dangerous object with almost incredible swiftness. It is in most cases effective in moving the animal backward toward a singular instance of adaptation to its situation, for by means of its tail it can withdraw into its hole with such swiftness as in an instant to place it out of danger.

—The latest story is of a wonderful gold find in Alaska. It is of a lake which is literally paved deep with gold dust. The lake is 1,000 yards long, 400 yards wide and 150 feet deep. It is fed by water from a glacier, and its only outlet is a little stream two feet deep, but of incredible swiftness. The stream of the sand which a sea captain brought to Seattle recently showed \$8 to \$10 a cubic yard, and on this basis a man alone could take out \$10,000 a year.

same possibilities of retrospection as that of a dog, and stands staring around with a pained and undecided expression. When the force of the situation once strikes him, however, he makes up for lost time. He bellows and rolls and goes charging round the pasture with various demonstrations of surprise and disgust that delight the human populace on the fence beyond expression, and which would amuse the president of a society for the prevention of cruelty to animals. This sort of soliloquy built right in good for an indefinite period of amusement, and the only drawback seems to be that somebody has to take the stick of the animal's fall. As this has to be done by the owner, it really adds to the popularity of the sport among its promoters, but the possessors of live stock refuse to be reconciled to the custom.

"Your charming experiment in animal psychology," said the second man, "reminds me of another very interesting one which is within the reach of all. The only thing needed for this is a couple of good-sized cats and a very small quantity of benzine. The boy enthusiasts who are conducting the experiment then take the animals to the entryway of some respected citizen, where they think they will do the most good, put on or two drops of benzine on each cat's tongue and shut them up together. The benzine is not given in such a quantity as to cause any pain, but for some unexplained psychological reason under its stimulating influence nothing will satisfy the soul of either cat but the instant and complete annihilation of the other. Their hair curls over backward, their eyes start out of their sockets and they fall to immediately, without any of the preliminary courtesies of feline warfare, uttering terrible and blood-curdling war cries. The effect on the family of the respected citizen is as sensational as the most hardened of juvenile tyrants could desire."

"Your cheerful tales of kind attentions to animals," said the third man, "remind me of the boy in one town who used to put cats through the family clothes wringer. He finally had to give it up, because his mother objected to the effects on her wringer."

Each having made his contribution to the conversation, the group then broke up.—Springfield (Mass.) Republican.

A Kind Answer. Mudge:—If there really is anything in this reincarnation theory, I don't know but that I would like to be a good, fat, comfortable hog. They seem to enjoy life so.

Yabsley:—But, as I understand it, in reincarnation one becomes something different from what he was.—Indianapolis Journal.

The Nerves Say Thanks Up. "When I went to a nerve specialist first," said a man who was once an invalid, "he told me that one way to judge of the condition of a person's nerves was to watch his thumbs. Ever since that time I have found the greatest fascination in looking at people's thumbs. The doctor said that if they moved involuntarily outward it was a sign that the nerves of that man or woman were not in the best condition. I find myself now sweeping the line opposite me in a car, and if that doctor's test is a good one, there is a surprising number of people in this town whose nerves need looking after. There are few among the women who do not involuntarily move the thumbs outward at intervals of every few minutes, and when your attention has been once attracted to it the process of watching their gloved hands grows very interesting. I have found the habit much less frequent among men, but take the average number of women in a street car and it will be a surprise to you to see how many of them indulge unconsciously in this little habit. I only hope it does not mean anything as serious as it might indicate if that nerve specialist's diagnosis was a good one."—Boston Gazette.

Dress for the French President. An esthetic French tailor, who is dissatisfied with the evening dress that forms the official attire of President Faure on all formal occasions, has designed a uniform that he thinks will be worn, but not gaudy. It consists of a black frock coat with ample folds and velvet collar and cuffs, richly embroidered with gold laurels; the trousers to have broad laurel-leaf embroidery down the sides. The lapels of the coat are to be decorated with the insignia of the legion of honor in diamonds, lent by the state, and the garment is to be buttoned across a white waistcoat, with heavy button buttons bearing the effigy of the republic. The whole is to be completed by a most tri-colored necktie. The headgear is to consist of a low cylindrical felt or velvet hat with a plume of black feathers. The sword is to have a black sheath, and hilt of diamonds, also lent by the state. After these things have been done the president is to be put in a carriage and surrounded by a squadron of dragons for the delight of all Paris.—Chicago Inter Ocean.

Guarded Against Cyclones. A farmer in the Kansas cyclone district was building a stone wall. He was putting it there to stay, building it five feet across the base and four feet high. A stranger came riding by, looking on and the farmer was taking said to him: "You seem to be mighty careful about that wall." "Yep," replied the farmer, "I'm er building her to stay." "Tain't no use," replied the stranger; "H'll blow over just the same." "Well, let her blow er, she'll be a foot higher if she does," replied the farmer, continuing his work.

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